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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/863,935 | 05/22/2001 | Christoph A. Aktas | 2001P08524US | 9993 |

7590 06/16/2004

Siemens Corporation
Att: Elsa Keller, Legal Administrator
Intellectual Property Department
186 Wood Avenue South
Iselin, NJ 08830

EXAMINER

WOZNIAK, JAMES S

| ART UNIT | PAPER NUMBER |
|----------|--------------|
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2655

DATE MAILED: 06/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/863,935

Applicant(s)

AKTAS ET AL.

Examiner

James S. Wozniak

Art Unit

2655

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 5/22/2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 5/22/01 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>2</u> . | 6) <input type="checkbox"/> Other: _____ |

Detailed Action

Drawings

1. New corrected drawings are required in this application because the drawings are informal.

The requirement for corrected drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. **Claims 1, 2, 4, 9, 10, and 12** are rejected under 35 U.S.C. 102(b) as being anticipated by Tullis et al (*U.S. Patent: 5,802,314*).

With respect to **Claims 1 and 9**, Tullis discloses:

A multimedia mailbox system and associated management method, comprising:

a) A message store for storing multimedia messages (*RAM or fixed disk for storing multimedia messages, Col. 7, Lines 29-42, and Fig. 3A.*).

b) A plurality of data converters for converting messages in one medium to messages in another medium (*multiple media conversions, Col. 14, Line 25- Col. 15, Line 6*).

With respect to **Claims 2 and 10**, Tullis recites:

The plurality of data converters includes at least two selected from the group consisting of a text to speech converter, a speech to text converter, and a fax to text converter (*speech synthesis, speech-to-text conversion, and image-to-text conversion, Col. 14, Line 25- Col. 15, Line 6*).

With respect to **Claims 4 and 12**, Tullis discloses:

Means for assigning a reference number to each message (*numerical message labels, Col. 7, Lines 45-47 and Fig. 3A, Element 62*).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claims 3, 5-8, 11, and 13-16** are rejected under 35 U.S.C. 103(a) as being unpatentable over Tullis et al in view of Horowitz et al (*U.S. Patent: 6,236,987*).

With respect to **Claims 3 and 11**, Tullis teaches the multimedia messaging system and associated management method as applied to Claims 1 and 9. Although Tullis does teach a means for searching a message database (*Col. 2, Lines 36-41*), the search is not based upon linguistics, nor is any linguistic relation made between the messages, however Horowitz discloses:

Means for linguistically based searching of multiple message types and for linguistically relating multiple messages of different type (*semantically based search of multimedia documents semantically grouped into topics, Col. 3, Lines 13-25, Col. 10, Line 62- Col. 11, Line 5, and Fig. 2*).

Tullis and Horowitz are analogous art because they are from a similar field of endeavor in multimedia document management. Thus, it would have been obvious to a person of ordinary skill in the art, at the time of invention, to combine the semantically related multimedia documents and the associated semantically-based search engine as taught by Horowitz with the multimedia messaging system as taught by Tullis to provide a means to easily organize and navigate multimedia documents (*Horowitz, Col. 2, Lines 55-63*), thus enabling more efficient document access in a multimedia messaging system. Therefore, it would have been obvious to combine Horowitz with Tullis for the benefit of obtaining more efficient multimedia message access in a multimedia messaging system, to obtain the invention as specified in Claims 3 and 11.

Claims 5 and 13 contain subject matter similar to Claims 1, 3, 9, and 11, and thus, are rejected for the same reasons.

Claims 6 and 14 contain subject matter similar to Claims 4 and 12, and thus, are rejected for the same reasons.

Claims 7 and 15 contain subject matter similar to Claims 1, 3, 4, 9, 11, and 12 and thus, are rejected for the same reasons.

Claims 8 and 16 contain subject matter similar to Claims 2 and 10, and thus, are rejected for the same reasons.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- Cox et al (*U.S. Patent: 5,696,964*)- teaches a multimedia database searching means that analyzes document categories based upon semantic content.
- Parvulescu et al (*U.S. Patent: 5,724,410*)- discloses a voice messaging system featuring text-to-speech and speech-to-text converters that is capable of outputting a message in speech or text format.
- Bennett et al (*U.S. Patent: 6,633,846*)- discloses a distributed speech recognition system featuring speech-to-text and text-to-speech converters and a linguistic search engine.
- Boucher et al (*U.S. Patent: 6,745,368*)- teaches a semantic-based browser for searching multimedia content.
- Tascini et al (*"Video Description by Automatic Content Extraction," 2000*)- discloses a method for generating content descriptions of multimedia files and an associated browser.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to James S. Wozniak whose telephone number is (703) 305-8669


Art Unit: 2655

and email is James.Wozniak@uspto.gov. The examiner can normally be reached on Mondays-Fridays, 8:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doris To can be reached at (703) 305-4827. The fax/phone number for the Technology Center 2600 where this application is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the technology center receptionist whose telephone number is (703) 306-0377.

James S. Wozniak
6/7/04


SUSAN MCFADDEN
PRIMARY EXAMINER